

## **EXHIBIT E**

**Doerler, William**

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**From:** William Doerler  
**Sent:** Wednesday, October 12, 2005 9:49 AM  
**To:** bdolan@svslaw.com  
**Cc:** John Balaguer  
**Subject:** Houlihan v. Sussex Tech - stay  
**Attachments:** TEXT.htm

Brian

Please review the Petition for Writ of Certiorari filed in *Garcetti v. Ceballos*, 2004 WL 2260964. The petition involves a case presently pending before the U.S. Supreme Court. One of the questions presented addresses whether a public employee's purely jobrelated speech touches on a matter of public concern and, therefore, is entitled to First Amendment Protection. This is one of the issues addressed in our Motion to Dismiss. If the speech is not entitled to First Amendment Protection, as we allege, Mrs. Houlihan's case fails as a matter of law as there would be no First Amendment violation. Because the issue before the U.S. Supreme Court decides a potentially case dispositive issue in the Houlihan case, we believe that the Houlihan case should be stayed to permit the U.S. Supreme Court to decide the issue. Please let me know your position with respect to requesting a stay from the District Court. Thank you.

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10/31/2005